

### REMARKS

Claims 1 to 18 are pending, and have all been rejected.

Claims 6 to 12 and 14 to 17 have been deleted, and claims 19 to 29 have been added to include method and apparatus claims. No new search is required for these Claims.

The Claims have been amended to better define the invention. Certain Claims have been deleted and others have been modified because the original claimed subject matter is contained in continuation application 10/418,829. It is not the Applicant's intent to forego coverage on this subject matter.

As explained during the interview, Applicant's invention is a novel deck of cards (each card individually is also novel), and novel games that use the cards. Each card changes its appearance after it has been selected by the player. In one embodiment, when the card is first dealt it displays the card's suit but not the card's numerical value. After the player selects the card, the card's appearance changes and displays both the suit and numerical value.

This is very different from the Silliman reference (or any other reference), which is a conventional card deck that has numerals 1 to 4 on the card backs to enable the same hands to be dealt repetitively more easily. For example, in Silliman "Hand 1" would be 13 cards that have the number 1 on the card back. Hand 2 would be 13 cards that have the number 2 on the card back, and so forth. Therefore, "Hand 1" is always the same; "Hand 2" is always the same and so on.

Each time cards from Silliman's deck are dealt the player who received cards with number 1 on the card back (i.e., "Hand 1") would get the same 13 cards. In the first game Player 1 would get Hand 1 and Player 2 would get Hand 2. In the second game the hands could be exchanged so that Player 1 gets Hand 2 and Player 2 gets Hand 1.

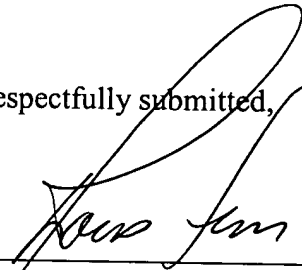
Like the Stanton reference, Silliman was designed to enable the same hand of cards to be dealt repeatedly to various players to give all players the same starting hand, and thus to determine who was the best player – not who benefited from the luckiest hand. The idea behind Silliman and Stanton was to have players start with the same hands and to eliminate luck from the outcome of the game. This idea is completely different from Applicant's invention, which enhances the play of card games and enables new card games without predetermining the composition of a player's hand. As in other poker-type games, both luck and skill play a part in Applicant's game.

Applicant's invention is novel and has neither been anticipated nor was obvious in view of the prior art.

CONCLUSION

For the foregoing reasons, Applicant believes his invention was neither anticipated nor was obvious in view of the any cited prior art. Therefore, Applicant respectfully requests reconsideration of the claims, together with a favorable determination.

Respectfully submitted,



8/23/2003

David A. Loewenstein  
Reg. No. 35, 591  
802 King Street  
Rye Brook, NY 10573  
(914) 937-4119